

EXHIBIT 2

Report 2: *Assessing the Probability*

REPORT 2

ASSESSMENT SUPPORTING INTERVENTION FOR THE PURPOSE OF REPOSSESSION OF HER ANIMALS

**Assessing the probability of Leo's
Ownership of the Jackal Possessed
by the Lowes at the Time of Their
Abandonment of the Animals
at Their Thackerville Facility.**

+

- 1. Second affidavit from former zoo director;**
- 2. Assessment of inspection reports showing static presence and recording of Leo's animals at both the Wynnewood and Thackerville facilities.**

The percentage of licensees and registrants under the AWA who are currently in possession of any species of "jackal" is less than 0.06%. Therefore, it is extremely unlikely the Lowes swapped out Leo's jackal for another jackal, especially considering would have to be female, further lowering the percentage of who the Lowes could have given them another female jackal to trade for the one they were boarding for Leo. According to the Lowes' inspection reports in which the USDA inspectors were the ones counting the animals at the Lowes' facility the day of the inspection, there was always one jackal.

licensees: 29,115

registrants: 8,419

reports: 72,348

licensees

+

registrants = 37,534

<https://aphis-efile.force.com/PublicSearchTool/s/inspection-reports>

USDA Animal and Plant Health Inspection Service
U.S. DEPARTMENT OF AGRICULTURE

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Inspection Reports Search

To locate inspection reports prepared by Animal Care inspectors, enter the known information in the License/Registration Type and/or State fields and then click the Search button. Additional search options and information may be available for certain business entities, such as the names and addresses of corporations with commercial addresses.

Click on the link to the left of any entry to see the associated inspection report. To ensure that accurate information is received, the certificate number should be in XX-X-XXXX format.

License/Registration Type	City	State	Zip Code
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Customer/Organization Name	Customer Number	Certificate Number	
<input type="text"/>	<input type="text"/>	<input type="text"/>	

Certificate number should be in xx-x-xxxx format

Search Clear

Hence,

78% of all certificate holders under the AWA, as of Oct. 24, 2021, are "licensees".

View Licensees View Registrants View Inspection Reports

Rows 1 - 100 of 29115


Query Reports	Customer Information	Address
Query Inspection Reports	Customer/Organization Name (DBA): M & B PETS, INC. Customer Number: 7 Certificate Number: 95-B-0001 License Type: Class B - Dealer Certificate Status: Cancelled Status Date: 12/6/2008	P.O. BOX 30668 HONOLULU, HI 96820 COUNTY: Honolulu
Query Inspection Reports	Customer/Organization Name (DBA): UNIVERSITY OF ALASKA FAIRBANKS Customer Number: 15 Certificate Number: 96-C-0034 License Type: Class C - Exhibitor	1033 Sheenjek Drive P O Box 756980 FAIRBANKS, AK 99775 COUNTY: Fairbanks

and 22% are registrants.

View Registrants View Inspection Reports

Rows 1 - 100 of 8419

Query Reports	Registrant Information	Address
Query Inspection Reports	Customer/Organization Name (DBA): Sadie Beck (Sadie Beck) Customer Number: Certificate Number: 93-T-0255 Registration Type: Class T - Carrier Certificate Status: Active Status Date: 7/23/2024	PO Box 1846 Manteca, CA 95336 COUNTY: San Joaquin
Query Inspection Reports	Customer/Organization Name (DBA): ANDREW KERLEY CONNIE KERLEY (KOMFY KATS) Customer Number: 1 Certificate Number: 95-H-0041 Registration Type: Class H - Intermediate Handler	51436 LIHIMAUHA KAAAWA, HI 96730 COUNTY: Honolulu

 <https://aphis-efile.force.com/PublicSearchTool/s/inspection-reports>

USDA Animal and Plant Health Inspection Service
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Inspection Reports Search


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Additional search options and information may be available for certain business entities, such as the names and addresses of corporations with commercial addresses.


Click on the link to the left of any entry to see the associated inspection report. To ensure that accurate information is received, the certificate number should be in XX-X-XXXX format.


License/Registration Type: : City: State: : Zip Code:
 Customer/Organization Name: Customer Number: Certificate Number:
 Certificate number should be in xx-x-xxxx format

Search **Clear**

View Licensees | View Registrants | View Inspection Reports

Rows 1 - 100 of 29115 

Query Reports	Customer Information	Address
Query Inspection Reports	Customer/Organization Name (DBA): M & B PETS, INC. Customer Number: 7 Certificate Number: 95-B-0001 License Type: Class B - Dealer  Certificate Status: Cancelled Status Date: 12/6/2008	P.O. BOX 30668 HONOLULU, HI 96820 COUNTY: Honolulu
Query Inspection Reports	Customer/Organization Name (DBA): UNIVERSITY OF ALASKA FAIRBANKS Customer Number: 15 Certificate Number: 96-C-0034 License Type: Class C - Exhibitor	1033 Sheenjek Drive P O Box 756980 FAIRBANKS, AK 99775 COUNTY: Fairbanks



View Registrants		View Inspection Reports	
Rows 1 - 100 of 8419			>
Query Reports	Registrant Information	Address	
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By accessing the inspection reports tab, one will see over 72,000 inspection reports since there are normally more than one inspection report for each licensee and registrant.

Either the common name can be used when searching for an animal or one may use the more specific taxonomic name. For instance, for a black-backed jackal, one may use "jackal" as seen in the screen to one's right, "Black-backed jackal", or "Canis mesomelas". In both the *U.S.A. v Lowe* and *Leo v Lowe* (Garvin County District Court),

it was discovered that the jackal was erroneously referred to as a "golden jackal". Thus, the use of "jackal" may be easier to use than looking up both "Black-backed jackal" and "golden jackal". The latter more resembles a Western Coyote than a Black-backed jackal.

The image below shows the screen with the results for the search for "jackal". Since this particular search includes all sub-species of jackals, one may assume that even fewer licensees have a Black-backed jackal licensed for exhibition. Thus, out of the 72,348 inspection reports, only 111 reports list a "jackal" as a licensed part of the licensee's live inventory used for exhibition. Keeping in mind that there are likely more than one inspection report per licensee who has licensed a jackal under the AWA, one may assume that although the percentage of inspection reports listing jackals are (72,348/111) 0.00153%, the percentage of licensees who possess jackals is significantly less.

Therefore, it is highly unlikely that the jackal in the possession of the Lowes at the time they signed the acknowledgement of abandonment form on or around August 13, 2021, is less than 1/10th of a percentage.

View Report	Licensee/Registrant In...	Inspection...	Non-Compliant Items	Site Name	Legal Name
View Inspection Report	Customer Number: 581 Certificate 33-R-Number: 0022	9/24/2021	Direct: 0 Non-Critical: 0 Critical: 0 Teachable Moments: 0	COHN RESEARCH BUILDING	RUSH UNIVERSITY MEDICAL CENTER
View Inspection Report	Customer Number: 5744 Certificate 71-C-	9/24/2021	Direct: 0 Non-Critical: 0 Critical: 0	MUSEUM OF DISCOVERY	MUSEUM OF DISCOVERY

When searching by Animal Name, results will include all species with your search term. Example: searching 'dog' will return results that include Dog (adult), Dog (puppy), Prairie dog, Dog faced fruit bat, and any other species whose common name includes dog. Please check your results to ensure they contain only the records which interest you.

View Report	Licensee/Registrant In...	Inspection...	Non-Compliant Items	Site Name	Legal Name
View Inspection Report	Customer Number: 326631 Certificate 41-C-Number: 0280	9/15/2021	Direct: 0 Non-Critical: 0 Critical: 0 Teachable Moments: 0	CAARA BERGERON	CAARA BERGERON
View Inspection Report	Customer Number: 328087 Certificate 41-C-	9/15/2021	Direct: 0 Non-Critical: 0 Critical: 0	BRANSON'S WILD WORLD INC.	Bransons Wild World Inc

View Inspection Reports

Filter Options:

CFR

☐ Direct ☐ Repeat

Animal Name **i** Animal Category

Filter **Clear**

Rows 1 - 100 of 72348 >

View Report	Licensee/Registrant In...	Inspection...	Non-Compliant Items	Site Name	Legal Name
View Inspection Report	Customer Number: 581 Certificate 33-R- Number: 0022	9/24/2021	Direct: 0 Non-Critical: 0 Critical: 0 Teachable Moments: 0	COHN RESEARCH BUILDING	RUSH UNIVERSITY MEDICAL CENTER
View Inspection Report	Customer Number: 5744 Certificate 71-C-	9/24/2021	Direct: 0 Non-Critical: 0 Critical: 0	MUSEUM OF DISCOVERY	MUSEUM OF DISCOVERY

View Licensees

There are no results for your search.

Filter Options:

CFR

☐ Direct ☐ Repeat

Animal Name **i** Animal Category

Filter **Clear**

Rows 1 - 100 of 111 >

View Report	Licensee/Registrant In...	Inspection...	Non-Compliant Items	Site Name	Legal Name
View Inspection Report	Customer Number: 326631 Certificate 41-C- Number: 0280	9/15/2021	Direct: 0 Non-Critical: 0 Critical: 0 Teachable Moments: 0	CAARA BERGERON	CAARA BERGERON
View Inspection Report	Customer Number: 328087 Certificate 42-C-	9/15/2021	Direct: 0 Non-Critical: 0	BRANSON'S WILD WORLD INC.	Bransons Wild World Inc

View Licensees

When searching by Animal Name, results will include all species with your search term. Example: searching "dog" will return results that include dog (adult), dog (puppy), prairie dog, dog-faced fruit bat, and any other species whose common name includes dog. Please check your results to ensure they contain only the records which interest you.

As one can see the following seven entries denoting seven Separate inspection reports also show three of them of The facility run by Jeff Lowe. This is just an example of what the the database holds in terms of inspection reports and how it would look to a user accessing the database's 111 entries of inspection reports listing "jackal" as a regulated animal recorded in the live inventory of specific facilities,

Inspection Report	Number: 5431 Certificate 48-C- Number: 0106		Non-Critical: 0 Critical: 0 Teachable Moments: 1		
View Inspection Report	Customer Number: 332646 Certificate 73-C- Number: 0230	2/19/2021	Direct: 0 Non-Critical: 8 Critical: 0 Teachable Moments: 0	Jeffrey Lowe- 002	JEFFREY LOWE
View Inspection Report	Customer Number: 501214 Certificate 31-A- Number: 0641	2/16/2021	Direct: 0 Non-Critical: 0 Critical: 0 Teachable Moments: 0	RONNIE STRACK	RON STRACK
View Inspection Report	Customer Number: 328087 Certificate 43-C- Number: 0342	2/2/2021	Direct: 0 Non-Critical: 0 Critical: 0 Teachable Moments: 0	BRANSON'S WILD WORLD INC	Bransons Wild World Inc
View Inspection Report	Customer Number: 332646 Certificate 73-C- Number: 0230	1/20/2021	Direct: 1 Non-Critical: 5 Critical: 1 Teachable Moments: 0	Jeffrey Lowe- 002	JEFFREY LOWE
View Inspection Report	Customer Number: 44266 Certificate 55-C- Number: 0272	1/6/2021	Direct: 0 Non-Critical: 1 Critical: 0 Teachable Moments: 0	ZOOTASTIC OF LAKE NORMAN INC	ZOOTASTIC OF LAKE NORMAN INC
View Inspection Report	Customer Number: 332646 Certificate 73-C- Number: 0230	12/15/2020	Direct: 3 Non-Critical: 11 Critical: 0 Teachable Moments: 0	Jeffrey Lowe- 002	JEFFREY LOWE

<https://aphis-efile.force.com/PublicSearchTool/s/inspection-reports>

Extracting unique records from the 111 database entries for inspection reports of those licensees and registrants who currently have a jackal on their possession, the following individuals are the only ones who currently or recently possess a license to exhibit one or more jackals.

Licensees and Registrants with "Jackal" Listed in Live Inventories of Inspection Reports			
Last Name	First Name	Certificate No.	Customer No.
Bergeron	Caara	41-C-0280	326631
BOULDER RIDGE RANCH LLC		34-C-0335	321836
Bransons Wild World Inc.		43-C-0342	328087
BRIGHTS ZOO		63-C-0229	37620
CARSON SPRINGS WILDLIFE CONSERVATION		58-C-1084	323717
COLUMBUS ZOO		31-C-0042	2204
CLAWS N PAWS WILD ANIMAL PARK INC		23-C-0013	2246
CORLEY	BETH	73-C-0167	35182
DEYOUNG	HAROLD	34-C-0141	7256
HARVEY	Tom	48-C-0106	5431
JOSEPH MALDONADO PASSAGE		73-C-0139	9658
KEMMERER II	GRANT	23-C-0203	15036
LOLLI BROS LIVESTOCK MARKET INC.		43-B-0010	4327
Lowe	Jeff	73-C-0230	332646
Lucas	Kimberly	23-C-0046	2264
OOSTVEEN	STEPHANIE	73-B-1817	6406
PLUMPTON PARK ZOOLOGICAL GARDENS INC		51-C-0108	2004
RIENOW	JAMES	35-B-0215	33579
ROLLING HILLS SAFARI LLC		73-C-0219	331875
STRACK	RONNIE	31-A-0641	0641
TIETZ	JEREMIAH	34-B-0230	501287
TOWBRIDGE CREEK ZOO LLC		41-C-0289	334843
Vogel	Kevin	41-C-0104	6515
WILD HEARTS ZOOLOGICAL PARK LLC		31-C-0255	331865
WILDLIFE WORLD ZOO INC.		86-C-0117	3448
ZOOTASTIC OF LAKE NORMAN INC		55-C-0272	44266
Total of 26 facilities which have recently possessed or currently possess jackals for exhibition.			

With jackals being so rare as a licensed animal for exhibition, it is likely they are even more unlikely and rarely, if ever, asked for, in the black market (they aren't endangered and are listed in the IUCN as a species of the least concern) or as residents in private collections which remain unlicensed.

Breeders who supply private collections with exotic animals are typically USDA-licensed.

Black-backed Jackal/Golden Jackal

https://aphis-efile.force.com/PublicSearchTool/s/inspection-reports

License/Registration Type: City: State: Zip Code:

Customer/Organization Name: Customer Number: Certificate Number:

Certificate number should be in xx-x-xxxx format

View Licensees View Registrants View Inspection Reports

Filter Options:

CFR: ☐ Direct ☐ Repeat

Animal Name: Animal Category:

Rows 1 - 87 of 87

View Report	Licensee/Registrant In...	Inspection...	Non-Compliant Items	Site Name	Legal Name
View Inspection Report	Customer Number: 328087 Certificate 43-C-0342	9/15/2021	Direct: 0 Non-Critical: 0 Critical: 0	BRANSON'S WILD WORLD INC.	Bransons Wild World Inc
View Inspection Report	Customer Number: 334843 Certificate 41-C-0000	8/18/2021			

https://aphis-efile.force.com/PublicSearchTool/s/inspection-reports

License/Registration Type: City: State: Zip Code:

Customer/Organization Name: Customer Number: Certificate Number:

Certificate number should be in xx-x-xxxx format

View Licensees View Registrants View Inspection Reports

Filter Options:

CFR: ☐ Direct ☐ Repeat

Animal Name: Animal Category:

Rows 1 - 19 of 19

View Report	Licensee/Registrant In...	Inspection...	Non-Compliant Items	Site Name	Legal Name
View Inspection Report	Customer Number: 332646 Certificate 73-C-0230	6/2/2021	Direct: 1 Non-Critical: 13 Critical: 0 Teachable Moments: 0	Jeffrey Lowe-002	JEFFREY LOWE
View Inspection Report	Customer Number: 332646 Certificate 73-C-	2/19/2021	Direct: 0 Non-Critical: 8 Critical: 0	Jeffrey Lowe-002	JEFFREY LOWE

Fisher/Fisher Cat

https://aphis-efile.force.com/PublicSearchTool/s/inspection-reports

View Licensees View Registrants View Inspection Reports

Filter Options:

CFR : ☐ Direct ☐ Repeat

Animal Name Animal Category

Rows 1 - 100 of 194

View Report	Licensee/Registrant In...	Inspection...	Non-Compliant Items	Site Name	Legal Name
View Inspection Report	Customer Number: 3702 Certificate 81-C- Number: 0055	9/16/2021	Direct: 0 Non-Critical: 0 Critical: 0 Teachable Moments: 0	ANIMALS OF MONTANA, INC.	ANIMALS OF MONTANA INC.
View Inspection Report	Customer Number: 3480 Certificate 81-C-	9/9/2021	Direct: 0 Non-Critical: 0 Critical: 0	TRIPLE D GAME FARM, INC.	Triple D Game Farm Inc

View Licensees View Registrants View Inspection Reports

There are no records that match the search criteria.

Filter Options:

CFR : ☐ Direct ☐ Repeat

Animal Name Animal Category

Porcupine/African Crested Porcupine/African Cape Porcupine

https://aphis-efile.force.com/PublicSearchTool/s/inspection-reports

View Licensees View Registrants View Inspection Reports

Filter Options:

CFR: : ☐ Direct ☐ Repeat

Animal Name: Animal Category: Filter Clear

Rows 1 - 100 of 130

View Report

View Inspection Report

View Inspection Report

https://aphis-efile.force.com/PublicSearchTool/s/inspection-reports

View Licensees View Registrants View Inspection Reports

Filter Options:

CFR: : ☐ Direct ☐ Repeat

Animal Name: Animal Category: Filter Clear

Rows 1 - 100 of 3885

View Report	Licensee/Registrant In...	Inspection...	Non-Compliant Items	Site Name	Legal Name
View Inspection Report	Customer Number: 331477 Certificate 34-C Number: 0433	9/23/2021 Direct:	0 Non-Critical: 0 Critical: 0 Teachable Moments: 2	TERRY GUOAN	TERRY GUOAN
View Inspection Report	Customer Number: 331570 Certificate 74-C	9/23/2021 Direct:	0 Non-Critical: 0 Critical: 0	AUSTIN AQUARIUM	AUSTIN AQUARIUM

View Licensees View Registrants View Inspection Reports

There are no records that match the search criteria.

Filter Options:

CFR: : ☐ Direct ☐ Repeat

Animal Name: Animal Category: Filter Clear

African Cape Porcupine

View Licensees View Registrants View Inspection Reports

There are no records that match the search criteria.

Filter Options:

CFR: : ☐ Direct ☐ Repeat

Animal Name: Animal Category: Filter Clear

African Porcupine

Virginia Opossum/Opossum

View Licensees View Registrants View Inspection Reports

Filter Options:

CFR : ☐ Direct ☐ Repeat

Animal Name Animal Category :

Rows 1 - 100 of 1912

View Report	Licensee/Registrant In...	Inspection...	Non-Compliant Items	Site Name	Legal Name
View Inspection Report	Customer Number: 5744 Certificate 71-C- Number: 0180	9/24/2021 Direct: Non-Critical: Critical: Teachable Moments:	0 0 0 0	MUSEUM OF DISCOVERY	MUSEUM OF DISCOVERY
View Inspection Report	Customer Number: 5020 Certificate 46-C- Number: 0057	9/23/2021 Direct: Non-Critical: Critical:	0 0 0	GREAT PLAINS ZOO AND DELBRIDGE MUSEUM	GREAT PLAINS ZOO AND DELBRIDGE MUSEUM

https://aphis-efile.force.com/PublicSearchTool/s/inspection-reports

View Licensees View Registrants View Inspection Reports

Filter Options:

CFR : ☐ Direct ☐ Repeat

Animal Name Animal Category :

Rows 1 - 100 of 2546

View Report	Licensee/Registrant In...	Inspection...	Non-Compliant Items	Site Name	Legal Name
View Inspection Report	Customer Number: 5744 Certificate 71-C- Number: 0180	9/24/2021 Direct: Non-Critical: Critical: Teachable Moments:	0 0 0 0	MUSEUM OF DISCOVERY	MUSEUM OF DISCOVERY
View Inspection Report	Customer Number: 5020	9/23/2021 Direct: Non-Critical:	0 0	GREAT PLAINS ZOO AND DELBRIDGE MUSEUM	GREAT PLAINS ZOO AND DELBRIDGE MUSEUM

Fox/Red Fox/Arctic Fox

https://aphis-efile.force.com/PublicSearchTool/s/inspection-reports

View Licensees View Registrants View Inspection Reports

Filter Options:

CFR: : ☐ Direct ☐ Repeat

Animal Name: Animal Category: Filter Clear

Rows 1 - 100 of 4868

View Report	Licensee/Registrant In...	Inspection...	Non-Compliant Items	Site Name	Legal Name
View	Customer	9/23/2021	Direct: 0	WILD CANID	WILD CANID
Inspection	Number: 4298		Non-Critical: 0	SURVIVAL &	SURVIVAL &
Report					

View Inspection Report

https://aphis-efile.force.com/PublicSearchTool/s/inspection-reports

View Licensees View Registrants View Inspection Reports

Filter Options:

CFR: : ☐ Direct ☐ Repeat

Animal Name: Animal Category: Filter Clear

Rows 1 - 100 of 2680

View Report	Licensee/Registrant In...	Inspection...	Non-Compliant Items	Site Name	Legal Name
View	Customer	9/23/2021	Direct: 0	WILD CANID	WILD CANID
Inspection	Number: 4298		Non-Critical: 0	SURVIVAL &	SURVIVAL &
Report					

View Inspection Report

Customer Number: 5020

Certificate 43-C Number: 0116

View Inspection Report

Customer Number: 5020

Certificate 46-C Number: 0057

https://aphis-efile.force.com/PublicSearchTool/s/inspection-reports

View Licensees View Registrants View Inspection Reports

Filter Options:

CFR: : ☐ Direct ☐ Repeat

Animal Name: Animal Category: Filter Clear

Rows 1 - 100 of 1019

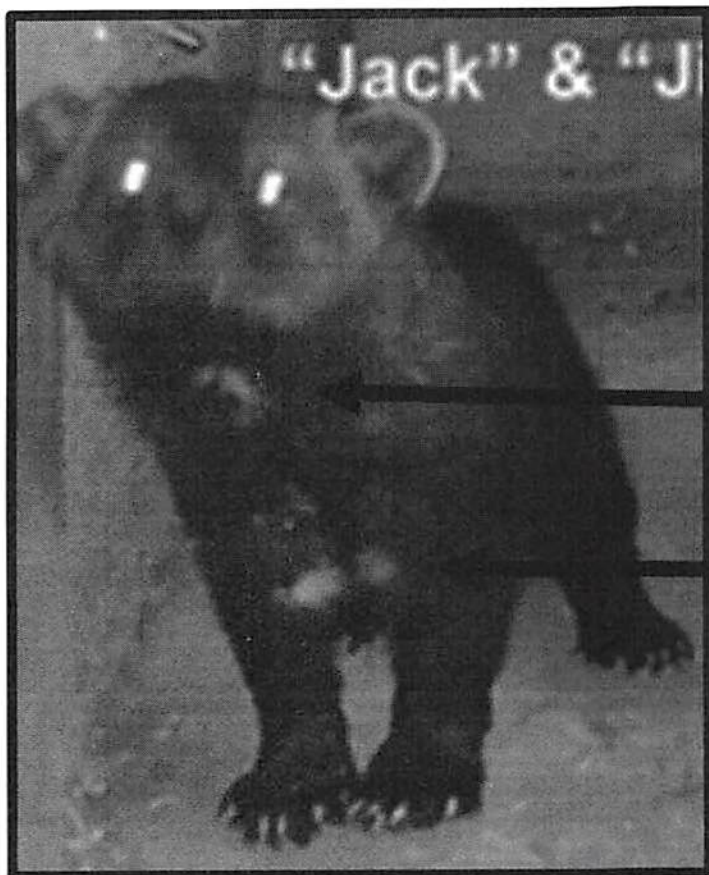
View Report	Licensee/Registrant In...	Inspection...	Non-Compliant Items	Site Name	Legal Name
View	Customer	9/23/2021	Direct: 0	WILD CANID	WILD CANID
Inspection	Number: 4298		Non-Critical: 0	SURVIVAL &	SURVIVAL &
Report					
	Certificate 43-C		Critical: 0	RESEARCH CENTER	RESEARCH CENTER
	Number: 0116		Teachable Moments: 0		
View	Customer	9/23/2021	Direct: 0	GREAT PLAINS ZOO	GREAT PLAINS ZOO
Inspection	Number: 5020		Non-Critical: 0	AND DELBRIDGE	AND DELBRIDGE
Report			Critical: 0	MUSEUM	MUSEUM
	Certificate 46-C				

Red Fox



Standard red foxes always will have black stockings and a white tip on their tails. Therefore, any deviation from the standard color pattern is rare. Here is a picture of the red fox boarded at the Lowes' facility. He has a rare color deviation from the standard by way of a white patch on his toes on his left rear foot.

Fisher



Many times, an owner of a fisher cat can tell it apart from others by the pattern of white found on its chest. Each fisher tends to have at the very least, a slightly different pattern and amount of white on its chest.

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 20-cv-00423-JFH

JEFFREY LOWE, LAUREN LOWE, GREATER
WYNNEWOOD EXOTIC ANIMAL PARK, LLC,
and TIGER KING, LLC,

Defendants.

CARRIE M. LEO

Plaintiff-Intervenor,

v.

THE UNITED STATES OF AMERICA,
JEFFREY LOWE and LAUREN LOWE,

Defendants-in-Intervention.

**AFFIDAVIT IN SUPPORT
OF MOTION FOR LEAVE
TO FILE MOTION FOR
RECONSIDERATION**

STATE OF NEW YORK }
WAYNE COUNTY } ss:

I, Carrie M. Leo, am the *Plaintiff-Intervenor-Appellant* for the above-captioned matter and offer the following statements under the penalty of perjury. These statements are in reference to the exhibit entitled Assessment Supporting Intervention for the Purpose of Repossession of Her Animals accompanying Plaintiff's-Intervenor's *Motion for Leave to File Motion for Reconsideration*.



1. The second page in the exhibit features true and correct reproductions of screens found on the usda website [https:// aphis-efile.force.com/Public SearchTool/s/inspection-report](https://aphis-efile.force.com/PublicSearchTool/s/inspection-report). The middle image shows a screen shot from the database in which the tab "View Licenses" was selected. In contrast, the bottom image is a screen shot in which the tab "View Registrants" was selected. The images were downloaded from the website on October 24, 2021.



2. The third page in the exhibit features true and correct reproduction of a screen found on the usda website [https:// aphis-efile.force.com/Public SearchTool/s/inspection-report](https://aphis-efile.force.com/PublicSearchTool/s/inspection-report) showing the total number of USDA Licensees under the Animal Welfare Act to date.



3. The fourth page in the exhibit features true and correct reproductions of screens found on the usda website <https:// aphis-efile.force.com/Public SearchTool/s/inspection-report> showing the total number of USDA Registrants under the Animal Welfare Act.



4. The fifth page in the exhibit features true and correct reproductions of screens found on the usda website <https:// aphis-efile.force.com/Public SearchTool/s/inspection-report>.



5. The sixth page in the exhibit features larger versions of the two screen shots found on the previous page in case the reader had problems reading the text on the screens of the former copies.



6. The seventh page in the exhibit features a true and correct reproduction of a screen found on the usda website <https:// aphis-efile.force.com/Public SearchTool/s/inspection-report>. It shows part of the list of inspection reports for current licensees under the Animal Welfare Act.



7. The eighth page in the exhibit features a true and correct chart created by the Plaintiff-Intervenor, Carrie Leo, featuring all the licensees and registrants who currently possess jackals for exhibition or other purposes (breeding, etc.). The list demonstrates a shortened version of the list of inspection reports and represents how deceiving it may look to a user who sees so many inspection reports yet have so few unique licensees and registrants. This information was pulled from the publicly accessible database located at the USDA website <https://aphis-efile.force.com/PublicSearchTool/s/inspection-report>.



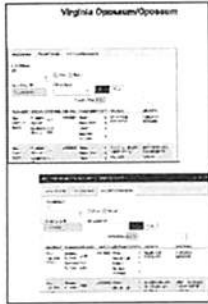
8. The ninth page in the exhibit features true and correct reproductions of screens found on the usda website [https:// aphis-efile.force.com/Public SearchTool/s/inspection-report](https://aphis-efile.force.com/PublicSearchTool/s/inspection-report). It's inclusions in the report allows for the reader to understand how the author derived the unique number and data regarding the licensees and registrants who currently possess jackals as part of their live inventories.



9. The tenth page in the exhibit features true and correct reproductions of screens found on the usda website <https:// aphis-efile.force.com/Public SearchTool/s/inspection-report>. The screens demonstrate the number of inspection reports listing "fisher" as an animal listed in the licensees'/registrants' live inventory. These are not the number of licensees and registrants who have fishers; but rather, the number of reports listing the species. The two screens also expose the difference in the use of the search terms "fisher" vs. "fisher cat" showing the value of using different common names for a species to ensure all records of interest result from the search.



10. The eleventh page in the exhibit features true and correct reproductions of screens found on the usda website <https:// aphis-efile.force.com/Public SearchTool/s/inspection-report>. The screens demonstrate the number of inspection reports listing "African Crested Porcupine" as an animal listed in the licensees'/registrants' live inventory. These are not the number of licensees and registrants who have African Crested Porcupines; but rather, the number of reports listing the species. The two screens on the top of the page also expose the difference in the use of the search terms "African Crested Porcupine" vs. "Porcupine" showing the value of using different common names for a species to ensure all records of interest result from the search. Keeping in mind, another common name "African Cape Porcupine", used erroneously by the authors of the Lowes' inspection reports remains another search term. However, when using the generic term "porcupine", one must perform the additional step of sorting through the various species of porcupines, such as, but not limited to, the North American porcupine, Palawan Porcupine, Prehensile-Tailed Porcupine, African Cape Porcupine, and African Crested Porcupine. One must also be cognizant of the various spelling of the names such as "African Crested Porcupine" as opposed to "African-Crested Porcupine". As one can notice, the two screen shots apparent on the bottom half of the page show no results when searching for "African Cape Porcupine" and "African Porcupine". This also brings up another point that with the inspectors falsely identifying the African Crested Porcupines at the Lowes' facility as "African Cape Porcupines", it is conceivable that, should a person not understand or know the mislabeling occurrence, which would then prompt the person to search for a more general search term, "porcupine", the searcher would get a false impression of whether or not African Crested Porcupines were in custody of any licensee or registrant with the USDA. This is a flaw in the set-up of the indexing for the database, in my opinion.



11. The twelfth page in the exhibit features true and correct reproductions of screens found on the usda website [https:// aphis-efile.force.com/Public SearchTool/s/inspection-report](https://aphis-efile.force.com/PublicSearchTool/s/inspection-report). The screens demonstrate the number of inspection reports listing “opossum” as an animal listed in the licensees’/registrants’ live inventory. These are not the number of licensees and registrants who have opossums; but rather, the number of reports listing the species. The two screens also expose the difference in the use of the search terms “opossum” vs. “Virginia Opossum” showing the value of using different common names for a species to ensure all records of interest result from the search. Similar to the porcupines on the previous page in the exhibit, there are a number of different species held in captivity which may skew the results for an unaware searcher. There are “Virginia Opossums”, “Brushtail Opossums”, “Short-Tailed Opossums”, “Wooley Opossums”, etc.



12. The thirteenth page in the exhibit features true and correct reproductions of screens found on the usda website <https:// aphis-efile.force.com/Public SearchTool/s/inspection-report>. The screens demonstrate the number of inspection reports listing “fox” as an animal listed in the licensees’/registrants’ live inventory. These are not the number of licensees and registrants who have red foxes; but rather, the number of reports listing the species. The two screens below also expose the difference in the use of the search terms “red fox” vs. “fox” vs. “Arctic fox” showing the value of using different common names for a species to ensure all records of interest result from the search.



13. The fourteenth page in the exhibit features true and correct reproduction of a photograph taken by Carrie Leo at some time between the dates January 26, 2016 to April 23, 2017. It features a picture of “Houdini”, the red-type fox she boarded at the Lowes’ facility in April 2017. It is important to notice that it is rare for a standard red fox to have any markings on its black stockings or to be absent a white tip on the tail. In fact, as pups, it’s these characteristics, especially the white tip, which help wildlife rehabilitators tell the difference between the two species upon intake.



14. The fifteenth page in the exhibit features a true and correct reproduction of a photograph taken by Carrie Leo at some time in the year 2016 of Jack the Fisher Cat while at his home at her facility in Walworth, New York. This photograph was included in the exhibit in order to show the unique markings of fisher cats, similar to mink, and how they may be used to identify an individual fisher. It’s rare to have fishers have identical marks or to be a completely solid color without any marks at all.

Date: November 1, 2021

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VERIFICATION

I do hereby verify, under the penalty of perjury, that to the best of my knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the foregoing affidavit.

1. is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
2. The claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;
3. The factual contentions have evidentiary support or, if specifically, so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and
4. The denials of factual contentions are warranted on the evidence or, if specifically, so identified, are reasonably based on belief or a lack of information.

Date: November 1, 2021



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Sworn to before me this 1st day of November 2021



Notary Public

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing affidavit was electronically mailed, and placed in the U.S. Mail, postage pre-paid, and eventually via CM/ECF upon the filing of document by the court, for counsel of record for the plaintiff and the defendants and sent to his office address listed below on November 3, 2021. All addresses used are as follows.

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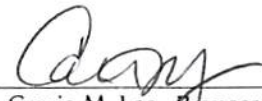
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